

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application and for the courteous telephone interview conducted on May 28, 2010 between Examiner Menon and applicant's counsel John P. Murtaugh, during which the rejoinder of the withdrawn species claims and the entry of the non-considered IDS were discussed. Applicant incorporates by reference the substance of the June 3, 2010 Interview Summary issued by the Examiner. Applicant is enclosing herewith an RCE in accordance with the discussion so that all the claims, including the withdrawn claims, and the IDS references can be further considered.

Claim Amendments

Original claim 1 has been cancelled.

Original claim 6 has been amended by including the subject matter of original claim 1 and is now presented in independent form.

Original claim 10 has been amended by including the subject matter of original claim 1 and is now presented in independent form.

Original claim 14 has been amended by including the subject matter of original claim 1 and is now presented in independent form.

Original independent claim 36 is still pending.

Original dependent claims 3, 5, 11, 12, 15, 20, 22, 23, 24, 38 and 39 are still pending.

Original dependent claims 2, 4, 16, 19 and 21 have been amended to depend on amended claim 6.

Claims 7-9, 13, 17, 18, 25-35 remain withdrawn.

Applicant requests that withdrawn claims 37, 40, 41, 42 and 43 be rejoined and further considered.

No new matter has been added.

Allowable Subject Matter

The independent claims 6, 10, 14, and 36 recite allowable subject matter as acknowledged by the Examiner and are therefore allowable. Applicant requests that all pending claims that depend from an allowable base claim be allowed. Applicant also requests that all withdrawn claims that depend from an allowable base claim be rejoined and allowed.

All of the concerns of the Examiner having now been resolved, reconsideration and allowance of the application is respectfully requested.

Applicant is enclosing herewith for consideration an IDS with the references cited in the Information Disclosure Statements filed 5/6/08, 5/15/09 and 7/30/09. Applicant notes that all the foreign publications have at least the abstract in English apart from document FR 2 231 421 (IDS of 5/15/2009) but FR2231421 is the priority document of US 4,038,190 (contained in the same IDS of 5/15/2009).

If any additional fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. GAMB-42881US1.

Respectfully submitted,
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Date: 6-16-10